



IN REPLY REFER TO:

# United States Department of the Interior

BUREAU OF INDIAN AFFAIRS

WASHINGTON, D.C. 20245

Division of Energy & Mineral Resources

Lakewood Office Plaza

730 Simms Room 239

Golden CO 80401

COPY

October 3, 1983

The Honorable Edwin Martinez  
Governor of the Pueblo of Laguna  
P. O. Box 194  
Laguna NM 87026

Confidential Claim Retracted

Authorized by: SK

Date: 9/12/13

Dear Governor Martinez:

During the meeting with the Pueblo of Laguna, CERT and BIA, held in our conference room on September 22, 1983 the following issues were discussed:

<u>Subject</u>	<u>Organization Involved</u>
° Hydrology	Water Resources Division (USGS) Pueblo of Laguna - Consulting firm BIA - Albuquerque Area Office.
° Radiology	BLM
° Highwalls	CERT
° Protore	CERT
° Housing (Blast damage)	Bureau of Mines BIA - E&M, Golden CO CERT Independent Consultant (3rd opinion if necessary)
° Mesita Reservoir	Not determined.

Except for the radiology, we have commented on above issues in our August 8, 1983 memorandum to the Albuquerque Area Office, a copy of which was sent to you.



9387825

POL-EPA01-0008773

CONFIDENTIAL

Also presented during the September 22 meeting was a preliminary sensitivity analysis of Anaconda's offer of \$40.9 million cash payment. As stated at the time of our presentation, our findings are based on estimates of possible future cost and interest benefits and should be considered as such. More accurate estimates can only be obtained after a reclamation plan and schedule have been formulated. Nevertheless our projections do suggest trends that can be used in negotiating a cash sum settlement with Anaconda Minerals Company.

Since the highwalls of the mine pits are included in CERT's revised Laguna reclamation work plan, approved by the Department of Energy on July 11, 1983, we have limited our comments in the August 8 memorandum to the North-and South-Pagate pits.

Copies of the plates showing our preference slopes, were distributed to all representatives of the organizations attending the meeting in Albuquerque, New Mexico, on August 31, 1983.

The Mesita Reservoir study is still up in the air. In the course of the discussions, the USGS and CERT were mentioned, but it is not clear to us who actually will tackle this problem.

With regard to the housing damage investigation of the Village of Paguate, Mr. Ken King of the Office of Earthquakes, Volcanos and Engineering, USGS, has recently visited the village to acquaint himself with the local situation. On September 28, 1983, Mr. King presented his trip report in a meeting, also attended by CERT and their mining engineering consultant. His conclusions were that part of the damage could very well have been caused by the mining operations, and that new techniques, methods developed in the last 5 years, should be used to study the possible effects of mining on the Village of Paguate. An interesting note is that structural damage does not necessarily have to be caused by seismic vibrations with peak velocities exceeding maximum values generally considered as acceptable. Vibrations with lower than the acceptable maximum values but having the same frequency as the dwelling are capable of causing structural damage also.

A tentative plan as discussed by Mr. Ken King, is described in Attachment 1. An official written proposal is expected to be submitted in the next week or so.

To avoid duplication of Mr. Allen Ries' efforts as stated in CERT's letter of September 13, 1983 to Mr. Ron Solimon, Legal Assistant, Pueblo of Laguna, tasks which will be performed by CERT, USGS and BIA, are shown in the attached work plan. We are amenable to modifications and revisions of CERT's current Laguna reclamation plan, which CERT feels are necessary to carry out their part of the project.

Finally, for your information, Mr. King has indicated that he wishes to publish his findings, since promotions within the USGS are on a "publish-or-perish" basis. We do not believe that publication of the study would have an adverse effect on the Pueblo of Laguna and recommend release of the information in a final USGS public report. Permission to the USGS to publish should be granted by a tribal resolution.

David L. Baldwin

David L. Baldwin  
Programs Officer

cc: Area Director, Albuquerque Area Office  
Superintendent, Laguna Agency  
A. David Lester, Executive Director, CERT ✓

## ATTACHMENT 1

### WORK PLAN FOR THE VILLAGE OF PAGUATE

<u>TASK NO.</u>	<u>TASK DESCRIPTION</u>
1	A damage survey of the building of the village of Paguate. This study will be compared with past damage studies and the results will be plotted in map form.
2	Past records to be research to determine blasting pattern, charge and frequency of blasting activity.
3	A study to map the soil type and velocity within the village of Paguate.
4	Test blasting at several different faces of the north Paguate pit using the same pattern as determined in Task 2 but smaller charges. The effects of each blast will be measured at over twenty locations throughout the village.
5	The buildings within the village of Paguate will be tested to determine their period and damping.

Tasks No. 1 and 2 will be performed by CERT.

Task No. 3 will be performed by CERT in the lead role and USGS/BIA in consultant/reviewer role.

Tasks No. 4 and 5 will be performed by the USGS. CERT will coordinate and conduct the test blasting.

The final report will be done by USGS in the lead role with CERT as a co-author/reviewer.

The BIA will coordinate all activities between the Tribe, USGS, BOM and CERT. BIA will review all work plans for funding and will the final review.